



State of New Jersey

Department of Environmental Protection
Land Use Regulation Program
P O Box 439
501 East State Street
Trenton, NJ 08625-0439
Fax: (609) 292-8115
www.state.nj.us/dep/landuse

James E. McGreevey
Governor

Bradley M. Campbell
Commissioner

Mr. Joseph Sweger
New Jersey Department of Transportation
1035 Parkway Avenue
PO Box 600
Trenton, New Jersey 08625-0600

AUG 11 2003

RE: Authorization for Freshwater Wetlands Statewide General Permit No. 7

LURP File No.: 1400-03-0012.1 FWW 030001

Applicant: New Jersey Department of Transportation

Block: N/A; Lot: N/A Rt. 10 E between Rt. 202 & Johnson Road

Morris Plains Borough, Morris County

Parsippany-Troy Hills Township, Morris County

RECEIVED

SEP 16 2003

PROJECT MANAGEMENT

Dear Mr. Sweger:

The Land Use Regulation Program has reviewed the referenced application for a Statewide General Permit authorization pursuant to the requirements of the Freshwater Wetlands Protection Act Rules at N.J.A.C. 7:7A. The proposed activities are authorized by Statewide General Permit No.7, which authorizes activities in ditches of human construction or in swales.

Limit of Authorized Disturbance

Based on the set of plan sheets 1 to 5 of 5 entitled "State of New Jersey, Department of Transportation, PLANS OF ROUTE 10 EAST OF ROUTE 202, MORRIS PLAINS BORO AND PARSIPPANY-TROY HILLS TWP., MORRIS COUNTY, WETLANDS PERMIT PLANS", dated July 21, 2003, no revisions, and prepared by Arthur J. Eisdorfer, P.E. of New Jersey Department of Transportation, this permit authorizes the disturbance of 0.032 acres (1,399 sf) of a non-EPA Priority ditch for widening of Route 10 eastbound between Route 202 and Johnson Road at the boundary line between Morris Plains Borough and Parsippany-Troy Hills Township. The ditch and its headwalls shall be relocated slightly south of the pre-construction location. Any additional disturbance of freshwater wetlands, State open waters or transition area shall be considered a violation of the Freshwater Wetlands Protection Act unless the activity is exempt or a permit is obtained prior to the start of the disturbance from the Land Use Regulation Program.

Permit Conditions

The activities allowed by this authorization shall comply with the following conditions. Failure to comply with these conditions shall constitute a violation of the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.).

Special Conditions

The total amount of disturbance of a non-EPA Priority ditch authorized by this permit shall not exceed 0.032 acres (1,399 sf).

In addition to the above conditions and the conditions noted at N.J.A.C. 7:7A-4 and -13, the following general conditions must be met for the activity authorized under this Statewide General Permit:

General conditions:

All fill and other earth work on the lands encompassed within this permit authorization shall be stabilized in accordance with "Standards for Soil Erosion and Sediment Control in New Jersey" to prevent eroded soil from entering adjacent waterways or wetlands at any time during and subsequent to construction.

2. This permit is revocable in accordance with DEP regulations and State law.
3. The issuance of this permit shall not be deemed to affect in any way other actions by the Department on any future application.
4. The activities shown on the approved plans shall be constructed and/or executed in conformity with any notes and details on said plans and any conditions stipulated herein.
5. No change in plans or specifications shall be made except with the prior written permission of the Department.
6. The granting of this authorization shall not be construed to in any way affect the title or ownership of the property, and shall not make the Department or the State a party in any suit or question of ownership of the property.
7. This permit is not valid and no work shall be undertaken pursuant to this authorization until all other required federal, state, and local approvals, licenses and permits necessary for commencement of work onsite have been obtained.
8. A complete, legible copy of this permit shall be kept at the work site and shall be exhibited upon request of any person.
9. The permittee shall allow the Program the right to inspect the construction site and also shall provide the Bureau of Coastal and Land Enforcement, NJDEP with written notification 7 days prior to the start of the authorized work.
10. This authorization is valid for five years from the date of this letter unless more stringent standards are adopted by rule prior to this date.

Transition Area

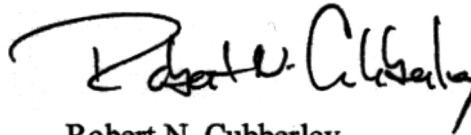
The feature(s) affected by this permit authorization is of ordinary resource value. As per N.J.A.C. 7:7A-2.5(c) no standard transition area or buffer is required adjacent to this feature.

Appeal of Decision

In accordance with N.J.A.C. 7:7A-1.7, any person who is aggrieved by this decision may request a hearing within 30 days of the decision date by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, P.O. Box 402, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist.

If you have any questions regarding this authorization, please contact Evelyn M. Hall of our staff at (609)984-0194. Please reference the above file number.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert N. Cubberley".

Robert N. Cubberley
Environmental Scientist 2
Bureau of Inland Regulation

- c. Bureau of Enforcement
Morris Planis Borough Clerk
Morris Planis Borough Construction Official
Parsippany-Troy Hills Township Municipal Clerk
Parsippany-Troy Hills Township Municipal Construction Official